

OFFICIAL**[A33063 - 067691.0115]
PATENT**

they raise new issues which would require further consideration and/or search. (See Advisory Action Summary Sheet). Then, the Examiner states that the amendments to claims 38, 42, 52, 53, 55, 62, 72 and 73 raise new issues. (See Advisory Action Examiner's Note). Applicants disagree, and assert that there are absolutely no new issues raised in these claim amendments.

As a background, on January 11, 2001, Applicants filed an Amendment after Final Office Action (the "Amendment"). In the Amendment, the following amendments to the claims were made:

- a. Claims 40 and 60 were canceled, and the subject matter of these claims was incorporated into independent claims 38 and 58, respectively;
- b. Claims 42, 52 and 53, and claims 62, 72 and 73 were rewritten in independent form to include the subject matter of previously-submitted independent claims 38 and 58, respectively; and
- c. Claims 55 and 75 were amended to depend from amended independent claims 38 and 58, respectively.

Accordingly, the claims have been canceled and/or amended only to present the claims in a better form for the appeal, as explicitly authorized under 37 C.F.R. § 1.116. Also, the subject matter recited in the amended independent claims

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has been already examined and finally rejected as provided in the Final Office Action. (See Final Office Action, the rejections of claims 40, 42, 52, 53, 60, 62, 72 and 73). Thus, the claim amendments in the Amendment raise absolutely no new issues, and thus should be entered. In addition, during the Interview between Examiner Tammy Lee, Alexander Tuzhilin and the undersigned on December 6, 2000, the Examiner agreed to consider the above-referenced claim amendment upon Applicants' filing of the Amendment.

Applicants also respectfully point out that during a further telephone conference between Examiner Lee and Applicants' representative, the Examiner agreed to the addition of claims 78-83 to the above-identified application when presented in the Amendment.

Therefore, for at least the reasons presented above, the claim amendments provided in the Amendment should be entered. Thereafter, Applicants respectfully request the Examiner to consider the remarks made in the Amendment, reconsider the finality of the rejections contained in the Final Office Action and withdraw these rejections. The Examiner is invited to contact the undersigned regarding any issues that remain outstanding.

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No extension fees associated with this communication are believed to be required. However, if extension fees are believed to be required, the Commissioner is hereby authorized to charge payment of any such additional fees or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

Dated: 01 February 2001

By: 

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